

## INFORMATION DISCLOSURE STATEMENT

Applicant : DeVore et al.  
 App. No : 10/081,712  
 Filed : February 12, 2002  
 For : INTRA-BRONCHIAL OBSTRUCTING  
       DEVICE THAT CONTROLS  
       BIOLOGICAL INTERACTION WITH  
       THE PATIENT  
 Examiner : Dawson, Glenn  
 Art Unit : 3731

## CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

April 7, 2005

(Date)

Karl L. Klassen, Reg. No. 54,224

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application is an Information Disclosure Statement by Applicant (PTO/SB/08 equivalent) listing 265 references to be considered by the Examiner. Also enclosed are 78 foreign patent references and/or non-patent literature as listed on the Information Disclosure Statement.

This Information Disclosure Statement is being filed before the mailing date of a final action and before the mailing of a Notice of Allowance. This Statement is accompanied by the fees set forth in 37 C.F.R. § 1.17(p). The Commissioner is hereby authorized to charge any additional fees which may be required or to credit any overpayment to Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 4-7-05

By: Karl Klassen

Karl L. Klassen  
 Registration No. 54,224  
 Attorney of Record  
 Customer No. 20,995  
 (949) 760-0404

04/12/2005 EABUBAK1 00000052 10081712

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APR 11 2005

PTO/SB/08 Equivalent

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		Application No.	10/081,712
		Filing Date	February 21, 2002
		First Named Inventor	DeVore et al.
		Art Unit	3731
(Multiple sheets used when necessary)		Examiner	Dawson, Glenn
SHEET 1 OF 10		Attorney Docket No.	SPIRTN.021A

**U.S. PATENT DOCUMENTS**

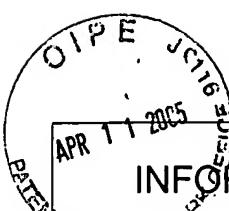
Examiner Initials	Cite No.	Document Number <i>Number - Kind Code (if known)</i> Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	1	2,981,254	04/25/61	Vanderbilt	
	2	3,540,431	11/17/70	Modin-Uddin	
	3	3,657,744	04/25/72	Ersek	
	4	3,760,808	11/17/70	Bleuer	
	5	3,788,327	01/29/74	Donowitz et al.	
	6	3,874,388	02/12/73	King et al.	
	7	4,014,318	03/29/77	Dockum et al.	
	8	4,086,665	05/02/78	Poirier	
	9	4,212,463	07/15/80	Repinski et al.	
	10	4,250,873	02/17/81	Bonnet	
	11	4,302,854	12/01/81	Runge	
	12	4,681,110	07/21/87	Wiktor	
	13	4,710,192	12/01/87	Liotta et al.	
	14	4,727,873	03/01/88	Mobin-Uddin	
	15	4,732,152	03/22/88	Wallsten et al.	
	16	4,759,758	07/26/88	Gabbay	
	17	4,795,449	01/03/89	Schneider et al.	
	18	4,808,183	02/28/89	Panje	
	19	4,819,664	04/11/89	Nazari	
	20	4,830,003	05/16/89	Wolff et al.	
	21	4,832,680	05/23/89	Haber et al.	
	22	4,846,836	07/11/89	Reich	
	23	4,850,999	07/25/89	Planck	
	24	4,852,568	08/01/89	Kensey	
	25	4,877,025	10/31/89	Hanson	
	26	4,934,999	06/19/90	Bader	
	27	4,968,294	11/06/90	Salama	
	28	5,061,274	10/29/91	Kensey	
	29	5,116,360	05/26/92	Pinchuk et al.	

Examiner Signature

Date Considered

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## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(Multiple sheets used when necessary)*

SHEET 2 OF 10

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Multiple sheets used when necessary)</i>	Application No.	10/081,712
	Filing Date	February 21, 2002
	First Named Inventor	DeVore et al.
	Art Unit	3731
SHEET 2 OF 10	Attorney Docket No.	SPIRTN.021A

## **U.S. PATENT DOCUMENTS**

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	30	5,116,564	05/26/92	Jansen et al.	
	31	5,123,919	06/23/92	Sauter et al.	
	32	5,151,105	09/29/92	Kwan-Gett	
	33	5,158,548	10/27/92	Lau et al.	
	34	5,161,524	11/10/92	Evans	
	35	5,304,199	04/19/94	Myers	
	36	5,306,234	04/26/94	Johnson	
	37	5,314,473	05/24/94	Godin	
	38	5,352,240	10/04/94	Ross	
	39	5,358,518	10/25/94	Camilli	
	40	5,366,478	11/22/94	Brinkerhoff et al.	
	41	5,382,261	01/17/95	Palmaz	
	42	5,392,775	02/28/95	Adkins Jr. et al.	
	43	5,409,019	04/25/95	Wilk	
	44	5,411,507	05/02/95	Heckele	
	45	5,411,552	05/02/95	Andersen et al.	
	46	5,413,599	05/02/95	Imachi et al.	
	47	5,417,226	05/23/95	Juma	
	48	5,445,626	08/29/95	Gigante	
	49	5,453,090	09/26/95	Martinez et al.	
	50	5,486,154	01/23/96	Kelleher	
	51	5,499,995	03/19/96	Teirstein	
	52	5,500,014	03/19/96	Quijano et al.	
	53	5,507,754	04/16/96	Green et al.	
	54	5,549,626	08/27/96	Miller et al.	
	55	5,549,628	08/24/96	Cooper et al.	
	56	5,562,608	10/08/96	Sekins et al.	
	57	5,603,698	02/18/97	Roberts et al.	
	58	5,645,565	07/08/97	Rudd et al.	

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		Filing Date	February 21, 2002
		First Named Inventor	DeVore et al.
		Art Unit	3731
SHEET 3 OF 10		Examiner	Dawson, Glenn
		Attorney Docket No.	SPIRTN.021A

U.S. PATENT DOCUMENTS					
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	59	5,660,175	08/26/97	Dayal	
	60	5,662,713	09/02/97	Andersen et al.	
	61	5,683,451	11/04/97	Lenker et al.	
	62	5,693,089	12/02/97	Inoue	
	63	5,697,968	12/16/97	Rogers et al.	
	64	5,702,409	12/30/97	Rayburn et al.	
	65	5,725,519	03/10/98	Penner	
	66	5,752,965	05/19/98	Francis et al.	
	67	5,755,770	05/26/98	Ravenscroft	
	68	5,797,960	08/25/98	Stevens et al.	
	69	5,800,339	09/01/98	Salama	
	70	5,803,078	09/08/98	Brauner	
	71	5,840,081	11/24/98	Andersen et al.	
	72	5,851,232	12/22/98	Lois	
	73	5,855,587	01/05/99	Hyon et al.	
	74	5,855,597	01/05/99	Jayaraman	
	75	5,855,601	01/05/99	Bessler et al.	
	76	5,944,738	08/31/99	Amplatz et al.	
	77	5,947,997	09/04/99	Pavcnik et al.	
	78	5,954,766	09/21/99	Zadno-Azizi et al.	
	79	5,957,949	09/28/99	Leonhardt et al.	
	80	5,972,009	10/26/99	Fortier et al.	
	81	5,976,158	11/02/99	Adams et al.	
	82	5,976,174	11/16/99	Ruiz	
	83	5,984,965	11/16/99	Knapp et al.	
	84	6,003,517	12/21/99	Sheffield et al.	
	85	6,007,575	12/28/99	Samuels	
	86	6,009,614	01/04/00	Morales	
	87	6,010,525	01/04/00	Bonutti et al.	

Examiner Signature	Date Considered
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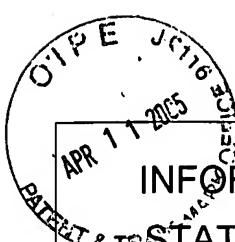
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 P A T E N T & T R ADE M A R K S  
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Multiple sheets used when necessary)</i>		Application No.	10/081,712
		Filing Date	February 21, 2002
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		Art Unit	3731
		Examiner	Dawson, Glenn
SHEET 4 OF 10		Attorney Docket No.	SPIRTN.021A

U.S. PATENT DOCUMENTS					
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	88	6,020,380	02/01/00	Killian	
	89	6,027,525	02/22/00	Suh et al.	
	90	6,045,560	04/04/00	McKean et al.	
	91	6,051,022	04/18/00	Cai et al.	
	92	6,068,635	05/30/00	Gianotti	
	93	6,068,638	05/30/00	Makower	
	94	6,077,291	06/20/00	Das	
	95	6,083,255	07/04/00	Laufer et al.	
	96	6,096,027	08/01/00	Layne	
	97	6,099,551	08/08/00	Gabbay	
	98	6,123,663	09/26/00	Rebuffat	
	99	6,135,729	10/24/00	Aber	
	100	6,135,991	10/24/00	Muni et al.	
	101	6,141,855	11/07/00	Morales	
	102	6,149,664	11/21/00	Kurz	
	103	6,162,245	12/19/00	Jayaraman	
	104	6,165,179	12/26/00	Cathcart et al.	
	105	6,168,614	01/02/01	Andersen et al.	
	106	6,174,323	01/16/01	Briggs	
	107	6,183,520	02/06/01	Pintauro et al.	
	108	6,200,333	03/13/01	Laufer	
	109	6,206,918	03/27/01	Campbell et al.	
	110	6,234,996	05/22/01	Bagaoisan et al.	
	111	6,238,334	05/29/01	Easterbrook	
	112	6,240,615	06/05/01	Kimes et al.	
	113	6,245,102	06/12/01	Jayaraman	
	114	6,267,775	07/03/01	Clerc et al.	
	115	6,270,527	08/07/01	Campbell et al.	
	116	6,287,290	09/11/01	Perkins et al.	

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SHEET 5 OF 10

Application No.	10/081,712
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**U.S. PATENT DOCUMENTS**

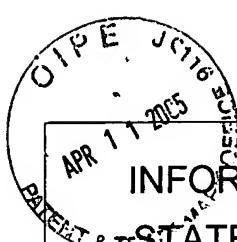
Examiner Initials	Cite No.	Document Number <i>Number - Kind Code (if known)</i> Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	117	6,287,334	09/11/01	Moll et al.	
	118	6,293,951	09/25/01	Alfernness et al.	
	119	6,302,893	10/16/01	Limon et al.	
	120	6,312,407	11/06/01	Zadno-Azizi et al.	
	121	6,325,777	12/04/01	Zadno-Azizi et al.	
	122	6,325,778	12/04/01	Zadno-Azizi et al.	
	123	6,327,772	12/11/01	Zadno-Azizi et al.	
	124	6,328,689	12/11/01	Gonzalez et al.	
	125	6,355,014	03/12/02	Zadno-Azizi et al.	
	126	6,398,775	06/04/02	Perkins et al.	
	127	6,402,754	06/11/02	Gonzalez	
	128	6,416,554	07/09/02	Alfernness et al.	
	129	6,428,561	08/06/02	Johansson-Ruden et al.	
	130	6,439,233	08/27/02	Geertsema	
	131	6,447,530	09/10/02	Ostrovskey	
	132	6,458,076	10/01/02	Pruitt	
	133	6,485,407	11/26/02	Alfernness et al.	
	134	6,488,673	12/03/02	Laufer	
	135	6,491,706	12/10/02	Alfernness et al.	
	136	6,493,589	12/10/02	Medhkour et al.	
	137	6,503,272	01/07/03	Duerig et al.	
	138	6,510,846	01/28/03	O'Rourke	
	139	6,514,290	02/04/03	Loomas	
	140	6,527,761	03/04/03	Soltesz et al.	
	141	6,558,429	05/06/03	Taylor	
	142	6,568,387	05/27/03	Davenport et al.	
	143	6,569,166	02/27/03	Gonzalez	
	144	6,585,639	07/01/03	Kotmel et al.	
	145	6,592,594	07/15/03	Rimbaugh et al.	

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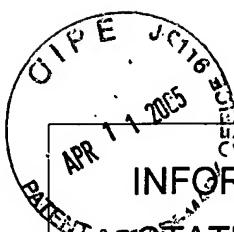


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U.S. PATENT DOCUMENTS					
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	146	6,599,311	07/29/03	Biggs et al.	
	147	6,610,043	08/26/03	Ingenito	
	148	6,629,951	10/07/03	Laufer et al.	
	149	6,634,363	10/21/03	Danek et al.	
	150	6,638,285	10/28/03	Gabbay	
	151	6,679,264	01/20/04	Deem et al.	
	152	6,682,250	01/27/04	Ingenito	
	153	6,694,979	02/24/04	Deem et al.	
	154	6,709,401	03/23/04	Perkins et al.	
	155	6,712,812	03/30/04	Roschak et al.	
	156	6,722,360	04/20/04	Doshi	
	157	6,743,259	06/01/04	Ginn	
	158	6,749,606	06/15/04	Keast et al.	
	159	2002/0077696	06/20/02	Zadno-Azizi et al.	
	160	2002/0095209	07/18/02	Zadno-Azizi et al.	
	161	2002/0111620	08/15/02	Cooper et al.	
	162	2002/0062120	05/23/02	Perkins et al.	
	163	2002/0077593	06/20/02	Perkins et al.	
	164	2003/0018327	01/23/03	Truckai et al.	
	165	2003/0018344	01/23/03	Kaji et al.	
	166	2003/0050648	03/13/03	Alfernness et al.	
	167	2003/0051733	03/20/03	Kotmel et al.	
	168	2003/0055331	03/20/03	Kotmel et al.	
	169	2003/070682	04/17/03	Wilson et al.	
	170	2003/0127090	07/10/03	Gifford et al.	
	171	2003/0158515	08/21/03	Gonzalez et al.	
	172	2003/0167065	09/04/03	Kumar	
	173	2003/0228344	12/11/03	Fields et al.	
	174	2004/0039250	02/26/04	Tholfsen et al.	

Examiner Signature	Date Considered
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SHEET 7 OF 10

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	175	10/847,554	05/17/04	Alfernness et al.	Copending Application
	176	10/847,427	05/17/04	Alfernness et al.	Copending Application
	177	6,860,847	03/01/05	Alfernness et al.	Copending Application
	178	2003/0050648	03/13/03	Alfernness et al.	Copending Application
	179	2003/0195385	10/16/03	DeVore	Copending Application
	180	2003/0212412	11/13/03	Dillard et al.	Copending Application
	181	2003/0216769	11/20/03	Dillard et al.	Copending Application
	182	2003/0154988	08/21/03	DeVore	Copending Application
	183	2003/0158515	08/21/03	Gonzalez et al.	Copending Application
	184	2003/0183235	10/02/03	Rimbaugh et al.	Copending Application
	185	2003/0180922	09/25/03	Alfernness	Copending Application
	186	2004/0243140	12/02/04	Alfernness et al.	Copending Application
	187	2005/0033310	02/10/05	Alfernness et al.	Copending Application

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No.	Foreign Patent Document <i>Country Code-Number-Kind Code</i> Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>1</sup>
	188	EP 1151729	11/28/01	Sabanthan		
	189	RU 2140211	10/27/99	Ivanov et al. (includes English abstract)		X
	190	SU 852321	07/08/81	Vyacheslav et al. (includes English abstract)		X
	191	GB 324 729	11/04/98	Bradford Hospitals NHS Trust		
	192	PCT/US98/18366	09/04/98	Zadno-Azizi et al.		
	193	WO 94/26175	11/24/94	Murphy et al.		
	194	WO 95/32018	11/30/95	Teirstein		
	195	WO 96/34582	11/07/96	Chaussy et al.		
	196	WO 97/44085	11/27/97	Zadno-Azizi et al.		
	197	WO 98/00840	01/08/98	Lee et al.		

Examiner Signature

Date Considered

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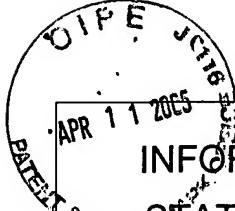
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	198	WO 98/19633	05/14/98	Bagaoisan et al.		
	199	WO 98/39047	09/11/98	Bagaoisan et al.		
	200	WO 98/44854	10/15/98	Laufer		
	201	WO 99/01076	01/14/99	Laufer		
	202	WO 99/13801	03/25/99	Marano-Ford		
	203	WO 99/26692	06/03/99	Zadno-Azizi et al.		
	204	WO 99/32040	07/01/99	Laufer et al.		
	205	WO 99/42059	08/26/99	Zadno-Azizi et al.		
	206	WO 99/42161	08/26/99	Zadno-Azizi et al.		
	207	WO 99/64109	12/16/99	Laufer		
	208	WO 00/42950	07/27/00	Carpentier et al.		
	209	WO 00/51510	09/08/00	Laufer et al.		
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SHEET 9 OF 10

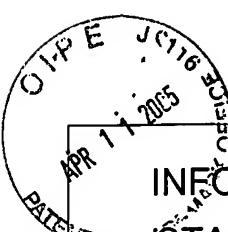
Application No.	10/081,712
Filing Date	February 21, 2002
First Named Inventor	DeVore et al.
Art Unit	3731
Examiner	Dawson, Glenn
Attorney Docket No.	SPIRTN.021A

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>1</sup>
	227	WO 01/54585	08/02/01	Biggs et al.		
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	245	WO 03/030975	04/17/03	Wilson et al.		
	246	WO 03/034927	05/01/03	Rimbaugh et al.		
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	248	WO 03/047468	06/12/03	Spenser et al.		
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	252	WO 04/010845	02/05/04	Hendrickson et al.		

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SHEET 10 OF 10

Application No.	10/081,712
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Art Unit	3731
Examiner	Dawson, Glenn
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## NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>1</sup>
	253	Article: Autocath 100 –Nonsurgical, Intraurethral Bladder Control Device for Incontinent and Retentive Women – Dr. Kulisz's Development	
	254	Dillard et al., Evaluation of a Novel Intra-bronchial Valve Device to Produce Lung Volume Reduction,, Poster shown at conf in June 2002	
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	257	Horiuchi et al., Three Cases of Intractable Pneumothorax Treated Successfully by Bronchial Embolization using Silicon, JJSB, 2001. pp. 25-30	
	258	Inaspettato: Endoscopic Treatment of Bronchopleural Fistulas Using N-butyl-2-cyanoacrylate; Surgical Laparoscopy & Endoscopy; Vol. 1, pp. 62-64, 1994	
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